

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
DOCKET NO. 1:14-cv-00099-MOC

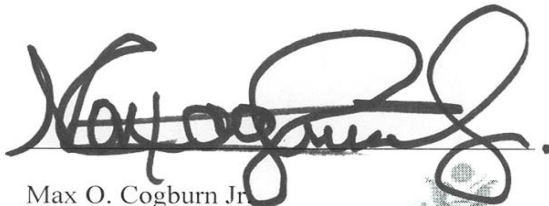
IN RE:)	
)	
BILTMORE INVESTMENTS, LTD.,)	
)	
Debtor.)	
<hr style="width: 40%; margin-left: 0;"/>)	
)	
BILTMORE INVESTMENTS, LTD.,)	ORDER
)	
Appellant,)	
)	
v.)	
)	
TD BANK, N.A.,)	
)	
Appellee.)	
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THIS MATTER is before the court on Biltmore Investments, Ltd.’s Motion to Strike All or Portions of Appellee TD Bank, N.A.’s Motion for Clarification (#15). TD Bank filed its Motion for Clarification (#14) on February 26, 2015. Biltmore Investments filed its Motion to Strike (#15) on March 9, 2015. TD Bank then withdrew its Motion for Clarification on March 19, 2015 (#18). Accordingly, Biltmore Investments’ Motion to Strike is now moot because TD Bank has withdrawn its Motion for Clarification and all exhibits that Biltmore Investments considered objectionable. The court will therefore deny Biltmore’s Motion (#15) as moot. To the extent that Biltmore asks the court to sanction TD Bank by awarding Biltmore Investments its attorneys fees and costs, the court declines to grant such a request.

ORDER

IT IS, THEREFORE, ORDERED that Biltmore Investments, Ltd.'s Motion to Strike All or Portions of Appellee TD Bank, N.A.'s Motion for Clarification (#15) is **DENIED** as moot.

Signed: April 14, 2015



Max O. Cogburn Jr.
United States District Judge